

## Notice of Rulemaking Hearing

### Board of Communications Disorders and Sciences - 1370

There will be a hearing before the Tennessee Board of Communications Disorders and Sciences to consider the promulgation of amendments to rules pursuant to T.C.A. §§ 4-5-202, 4-5-204, and 63-17-105. The hearing will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tennessee Code Annotated, Section 4-5-204 and will take place in the Department of Health Conference Center's Poplar Room on the First Floor of the Heritage Place Building located at 227 French Landing, Nashville, TN at 2:30 p.m. (CDT) on the 2nd day of May, 2007.

Any individuals with disabilities who wish to participate in these proceedings (review these filings) should contact the Department of Health, Division of Health Related Boards to discuss any auxiliary aids or services needed to facilitate such participation or review. Such initial contact may be made no less than ten (10) days prior to the scheduled meeting date (the date such party intends to review such filings), to allow time for the Division to determine how it may reasonably provide such aid or service. Initial contact may be made with the ADA Coordinator at the Division of Health Related Boards, 227 French Landing, Suite 300, Heritage Place, Nashville, TN 37243-1010, (615) 532-4397.

For a copy of the entire text of this notice of rulemaking hearing contact:

Jerry Kosten, Regulations Manager, Division of Health Related Boards, 227 French Landing, Suite 300, Heritage Place, MetroCenter, Nashville, TN 37243, (615) 532-4397.

### Substance of Proposed Rules

#### Amendments

Rule 1370-1-.01, Definitions, is amended by inserting the following language as new paragraph (3) and renumbering the current paragraphs (3) through (30) as paragraphs (4) through (31):

- (3) Alternate Supervision – Supervision provided in the temporary and impermanent absence of the supervising licensee.

Authority: T.C.A. § 4-5-202, 4-5-204, 63-17-103, 63-17-103, and 63-17-105.

Rule 1370-1-.03, Necessity of Licensure or Registration, is amended by deleting subparagraph (6) (d) in its entirety and substituting instead the following language, so that as amended, the new subparagraph (6) (d) shall read:

- (6) (d) Any person licensed by the Board to whom this rule applies must use one of the titles authorized by this rule in every "advertisement" [as that term is defined in rule 1370-1-.20 (2) (a)] he or she publishes or the failure to do so will constitute an omission of a material fact which makes the advertisement misleading and deceptive and subjects the audiologist or speech language pathologist to disciplinary action pursuant to T.C.A. § 63-17-117.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-1-145, 63-17-105, and 63-17-117.

Rule 1370-1-.10, Clinical Fellowships and Supervision, is amended by deleting paragraph (3) in its entirety and substituting instead the following language, so that as amended, the new paragraph (3) shall read:

(3) Period of effectiveness

- (a) Persons with doctoral degrees or doctoral degree candidates - Clinical fellowships are effective for a period of no less than nine (9) months and no more than four (4) years.
- (b) Persons with master's degrees - Clinical fellowships are effective for a period of no less than nine (9) months and no more than one (1) year.
  - 1. Notwithstanding the provisions of subparagraph (b), the clinical fellowship's period of effectiveness for applicants for licensure who are awaiting national certification and subsequent Board review of their application may be extended for a period not to exceed three (3) additional months. Such extension will cease to be effective if national certification or Board licensure is denied. At all times while awaiting national certification results and until licensure is received, clinical fellows shall practice only under supervision as set forth in this rule.
  - 2. Application for licensure or re-registration by the supervising licensee for an additional clinical fellowship should be made thirty (30) days before the expiration of the clinical fellowship.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-17-105, and 63-17-114.

Rule 1370-1-.14, Speech Language Pathology Assistants and Supervision, is amended by deleting subparagraph (2) (b) in its entirety and substituting instead the following language, so that as amended, the new subparagraph (2) (b) shall read:

- (2) (b) The registration form must also indicate, by name and signature, at least one (1) alternate Supervising Licensee who shall be on-site to provide the supervision when the primary Supervising Licensee is off site for any temporary and impermanent reason.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-17-103, 63-17-105, and 63-17-128.

Rule 1370-1-.19, Board Meetings, Officers, Consultants, Declaratory Orders and Screening Panels, is amended by adding the following language as new paragraph (6):

- (6) Reconsiderations and Stays - The Board authorizes the member who chaired the Board for a contested case to be the agency member to make the decisions authorized pursuant to rule 1360-4-1-.18 regarding petitions for reconsiderations and stays in that case.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-17-105, 63-17-117, and 63-17-118.

The notice of rulemaking set out herein was properly filed in the Department of State on the 28th day of February, 2007. (FS 02-37-07, DBID 597)